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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,856	04/16/2004	Kenneth A. Parker	1023.001	2083

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EXAMINER

MILLER, WILLIAM L

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/826,856

Applicant(s)

PARKER, KENNETH A.

Examiner

William L. Miller

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 2,6,12-17 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,9-11,18 and 20 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Invention I (claims 1-11 and 18-20) and Group I (Figs. 1-5 and 8) in the reply filed on 12-23-2005 is acknowledged.
2. Consequently, claims 2, 6, 12-17, and 19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention/species, there being no allowable generic or linking claim.

### ***Claim Objections***

3. Claims 1, 5, 18, and 20 are objected to because of the following informalities: claim 1, lines 6-7, change "box receiving surface" to --mailbox post--; claim 1, line 8, change "surface" to --mailbox post--; claim 5, line 2, change second recitation of "a" to --the--; claim 18, paragraphs a-b are grammatically unclear; claim 20, lines 2 and 3, it is unclear if the same tab is being referenced; and claim 20, line 4, after "attachment" insert --device--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3, 4, 7, 9, 10, 18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Upton (US#6161756).

6. Regarding claims 1 and 18, Upton discloses a quick release box assembly comprising: a mailbox housing 11 having a top and bottom defining an enclosure for receiving deliveries through an opening at one end (end closed via mailbox door); a first attachment plate 27 attached to the bottom of the mailbox; and a second attachment plate 15 attached to a mailbox post portion 13 and releasably engageable with the first plate.

7. Regarding claims 3 and 20, the underside of the first plate defines an inverted generally U-shaped hole which receives tabs 18,19 of the second attachment plate.

8. Regarding claims 4 and 20, a locking mechanism (pin 39 and cooperating securing holes 26 and 36-38) secures the plates together.

9. Regarding claim 7, the pin 39 provides a locking means fitted within (through) the first plate as the pin fits within (through) securing holes 36-38, and the pair of securing holes 26 on the second plate provides the locking receiving means as the holes receive the pin.

10. Regarding claim 9, the first plate includes holes 33 on its top side.

11. Regarding claim 10, the second plate includes holes 21-23 on its underside as the holes extend through portion 20.

12. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Raible (US#4955534).

13. Regarding claim 1, Raible discloses a quick release box assembly comprising: a mailbox housing 29 having a top and bottom defining an enclosure for receiving deliveries through an opening at one end (end closed via mailbox door); a first attachment plate 15,16,27 attached to

the bottom of the mailbox; and a second attachment plate 13 attached to a mailbox post 12 and releasably engageable with the first plate.

14. Regarding claim 5, the underside of the second attachment plate defines an inverted generally U-shaped slot capable of fitting on a support beam of the mailbox post.

***Claim Rejections - 35 USC § 103***

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Upton in view of Grabowiecki (US#4872610).

17. Upton fails to disclose the mailbox housing including decorative indicia. Grabowiecki discloses a mailbox housing including decorative indicia 26 providing a holiday theme (col. 1, lines 50-52) for decorative purposes. Therefore, as taught by Grabowiecki, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Upton by including decorative indicia for the housing to provide a holiday theme if desired and thus enhance the decorative appearance of the mailbox.

18. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raible in view of Grabowiecki.

19. Raible fails to disclose the mailbox housing including decorative indicia. Grabowiecki discloses a mailbox housing including decorative indicia 26 providing a holiday theme (col. 1,

lines 50-52) for decorative purposes. Therefore, as taught by Grabowiecki, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Raible by including decorative indicia for the housing to provide a holiday theme if desired and thus enhance the decorative appearance of the mailbox.

***Allowable Subject Matter***

20. Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

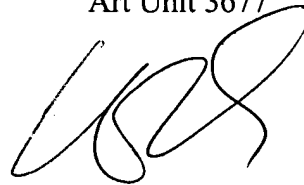
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Miller whose telephone number is (571) 272-7068. The examiner can normally be reached on Tuesday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Miller  
Primary Examiner  
Art Unit 3677

A handwritten signature in black ink, appearing to be 'WLM', written in a cursive style.

WLM